

**IN THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA**

**ADMINISTRATIVE ORDER NO. A-2023-20**

**ADMINISTRATIVE ORDER REGARDING FUTURE FILINGS  
FROM VEXATIOUS LITIGANT JAMES LEE BALLARD**

**WHEREAS**, Pursuant to Article V, Section 2(d) of the Florida Constitution, and Section 43.26, Florida Statutes, the Chief Judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

**WHEREAS**, the allocation of limited judicial resources within the Circuit must be maintained, and not abused, to ensure that cases throughout the circuit receive due attention; and

**WHEREAS**, Florida Vexatious Litigant Law, Section 68.093, Florida Statutes, provides a framework for the declaration of a person as a Vexatious Litigant; and

**WHEREAS**, Section 68.093(4), Florida Statutes allows for the entry of a prefiling order prohibiting a vexatious litigant from commencing, *pro se*, any new action in the courts of the that circuit without first obtaining leave of the administrative judge of the circuit; and

**WHEREAS**, it has been brought to the attention of the undersigned Chief Judge of the Fifth Judicial Circuit, which includes Citrus, Hernando, Lake, Marion, and Sumter Counties, that there has been a multitude of frivolous filings and litigation by one JAMES LEE BALLARD; and

**WHEREAS**, James Ballard has exhibited an intent to continue to file petitions, cases, and motions solely for vexatious purposes, and has repeatedly abused the use of limited judicial

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and clerk resources by filing redundant, immaterial, impertinent, or scandalous matters; and

**WHEREAS**, this Court makes the following findings of fact and conclusions of law:

1. JAMES LEE BALLARD has filed no fewer than fifty *pro se* civil cases since 2020 in multiple Judicial Circuits of Florida.

2. JAMES LEE BALLARD has filed at least twenty appellate cases in District Court of Appeals appealing circuit court rulings that have been stricken, denied, or dismissed since 2020.

3. In an order issued in case number 1D22-3995, dated January 31, 2023, JAMES LEE BALLARD has been barred from further *pro se* filings in the First District Court of Appeals.

3. Additionally, JAMES LEE BALLARD has been barred from further *pro se* filing in the Eighth Judicial Circuit.

4. JAMES LEE BALLARD has had more than five of his *pro se* civil cases finally and adversely determined within the past five years, a partial list is as follows:

i. On April 28, 2022, James Ballard filed *pro se* in Alachua County his Petition For Writ of Mandamus, which was assigned case number **2022-CA-1292**, and assigned to the Honorable Monica Brasington who dismissed the Petition on June 2, 2022. The Order on Petition for Writ of Mandamus was not appealed, and no subsequent filings were made, thereby finally and adversely determining the case.

ii. On May 10, 2022, James Ballard filed *pro se* in Alachua County his Petition For Writ of Habeas Corpus, which was assigned case number **2022-CA-1421**, and

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assigned to the Honorable Monica Brasington who dismissed the Petition on May 13, 2022. The Order Dismissing Petition For Writ Of Mandamus was not appealed, thereby finally and adversely determining the case.

iii. On June 24, 2022, James Ballard filed *pro se* in Leon County, a Petition For Writ Of Mandamus, which was assigned case number **2022-CA-1095**, and assigned to The Honorable John C. Cooper, who dismissed the Petition on September 19, 2022. Judge Cooper's order was appealed to the First DCA which dismissed the appeal on March 14, 2023, pursuant to its order issued January 31, 2023 in case number 1D22-3995, thereby finally and adversely determining the case.

iv. On July 5, 2022, James Ballard filed *pro se* in Alachua County, a Petition for Writ of Habeas Corpus, which was assigned cased number **2022-CA-1987**, and assigned to the Honorable Monica Brasington, who dismissed the Petition on July 6, 2022., The Order Dismissing Petition was not appealed, thereby finally and adversely determining the case.

v. On July 11, 2022, James Ballard filed in Leon County a *pro se* Petition for Writ of Mandamus, which was assigned case number **2022-CA-1205**, and assigned to the Honorable John C. Cooper who consolidated the case with case number **2022-CA-0791** and dismissed both cases on September 19, 2022. The Order(s) were appealed to the First DCA which dismissed the appeal(s) on March 14, 2023, pursuant to its order issued January 31, 2023, in case number 1D22-3995, thereby finally and adversely determining the case.

vi. Also on July 11, 2022, James Ballard filed in Leon County a *pro se* Petition for Writ of Mandamus, which was assigned case number **2022-CA-1206**, and assigned to

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the Honorable John C. Cooper who consolidated the case with case number **2022-CA-1435** and dismissed both cases on October 3, 2022. The Order(s) were appealed to the First DCA which dismissed the appeal(s) on March 14, 2023, pursuant to its order issued January 31, 2023 in case number 1D22-3995, thereby finally and adversely determining the case.

vii. On July 11, 2022, James Ballard filed *pro se* in Leon County his third Petition for Writ of Mandamus of the day. The Petition was assigned case number **2022-CA-1207**, and assigned to the Honorable John C. Cooper who consolidated the case with case number **2022-CA-1102** and dismissed both cases on September 15, 2022, and cautioned Mr. Ballard against further frivolous filings. Judge Cooper denied rehearing October 4, 2022, and the Order(s) Dismissing were appealed to the First DCA which dismissed the appeal(s) on March 14, 2023, pursuant to its order issued January 31, 2023 in case number 1D22-3995, thereby finally and adversely determining the case.

viii. On July 25, 2022, James Ballard in Leon County, filed *pro se* a Petition For Writ of Mandamus, which was assigned case number **2022-CA-1302**, and assigned to the Honorable John C. Cooper who dismissed the Petition on October 3, 2022. The Order Dismissing Petition was appealed to the First DCA who dismissed the case January 18, 2023, thereby finally and adversely determining the case.

ix. On September 26, 2022, James Ballard, in Marion County, filed *pro se* a complaint alleging, *inter alia*, slander and libel, and sought \$30 million in damages. The Complaint was assigned case number **2022-CA-2007**, and assigned to the Honorable Steven G. Rogers, who dismissed the case on March 6, 2023, and denied rehearing on March 23, 2023, which was not appealed, thereby finally and adversely determining the case.

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**WHEREAS**, the filing of multiple frivolous litigation monopolizes the Court's resources to the detriment of other pending court matters, wasting judicial time, labor, and taxpayer dollars. See, e.g. *Martin v. State*, 747 So. 2d 386 (Fla. 2000); *Battle v. Roscoe*, 689 So. 2d 301 (Fla. 5th DCA 1997); *Rodriguez-Diaz v. Abate*, 613 So. 2d 515 (Fla. 3rd DCA 1993); *Gladstone v. Smith*, 729 So. 2d 1002 (Fla. 4th DCA 1999)(holding that the Court must hold *pro se* litigants to the same standards as a reasonably competent attorney because applying a lesser standard would only encourage continued frivolous litigation); and

**WHEREAS**, "[r]equiring representation by counsel in future cases does not equate to the complete denial of access to courts." *Sapp v State*, 238 So. 3d 875, 878 (Fla. 5th DCA 2018) (citing *Platel v. Maguire, Voorhis & Wells, P.A.*, 436 So. 2d 303, 304 (Fla. 5th DCA 1983);

**IT IS THEREFORE,**

**ORDERED** and **ADJUDGED** administratively as follows:

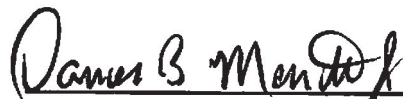
1. JAMES LEE BALLARD, is hereby declared a Vexatious Litigant pursuant to 68.093, Florida Statutes.
2. JAMES LEE BALLARD is prohibited from commencing, *pro se*, new action in the courts of the Fifth Judicial Circuit without first obtaining leave of the Chief Judge of the Fifth Judicial Circuit.
3. The respective Clerks of the Court in the Fifth Judicial Circuit shall not accept and file any new action by this vexatious litigant, JAMES LEE BALLARD, *pro se*, unless said litigant has obtained an order form the Chief Judge permitting such filing.
4. JAMES LEE BALLARD shall have a member in good standing

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of the Florida Bar file, on his behalf, any and all further documents, pleadings or causes of action in any court in the Fifth Judicial Circuit of Florida.

5. On behalf of the Clerks of Court for the various counties comprising the Fifth Judicial Circuit, the Trial Court Administrator shall provide copies of this prefiling order to the Clerk of the Florida Supreme Court, who maintains a registry of all vexatious litigants for placement thereon.

**DONE AND ORDERED** in chambers in Brooksville, Hernando County, Florida, this 30<sup>th</sup> day of June 2023.

  
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**DANIEL B. MERRITT, JR**  
**CHIEF JUDGE**  
**FIFTH JUDICIAL CIRCUIT**